

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

**CASE NO.: 1:25-CV-287**

ALAN BLAKELY,

Plaintiff,

v.

SANDHILLS MOVING AND STORAGE  
CO.,

Defendant.

**COMPLAINT FOR COPYRIGHT INFRINGEMENT**

**(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff ALAN BLAKELY by and through his undersigned counsel, brings this Complaint against Defendant SANDHILLS MOVING AND STORAGE CO. for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Plaintiff ALAN BLAKELY (“Blakely”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Blakely's original copyrighted Work of authorship.

2. Blakely specializes in jaw-dropping architecture photography, stylish and sophisticated interior photography, and captivating and insightful aerial photography. Blakely is joined on assignments by his wife, Colelyn, who brings her skills as a set stylist and project coordinator to your photoshoot. Blakely's work appears in most major architecture and interior design publications such as Architect Magazine, Archdaily, Architectural Record, Architectural

Review, Architectural Digest, Veranda, Dwell, Robb Report, Love Happens, Metal Architecture, Utah Style & Design, Western Home Journal, and more.

3. Blakely is recognized as one of the top architectural photographers at work today, with a career that spans three decades. He is the founder of The Association of Independent Architectural Photographers™, Real Estate Photographers of America & International™ and Aerial Drone Photographers of America™.

4. Defendant SANDHILLS MOVING AND STORAGE CO. (“Sandhills”) is a moving and storage company locally owned in Southern Pines, NC. Sandhills offers all the supplies clients need to move and/or store their belongings safely while also offering next-day service. At all times relevant herein, Sandhills owned and operated the Facebook page located at the internet URL [www.facebook.com/sandhillsmoving](http://www.facebook.com/sandhillsmoving) (the “Sandhills Facebook Page”) and the Instagram page located at the internet URL [www.instagram.com/sandhillsmoving](http://www.instagram.com/sandhillsmoving) (the “Sandhills IG Page”) (collectively referred to herein as the “Sandhills Social Media”).

5. Blakely alleges that Defendant copied Blakely’s copyrighted Work from the internet in order to advertise, market and promote its business activities. Sandhills committed the violations alleged in connection with Defendant's business for purposes of advertising and promoting sales to the public in the course and scope of the Sandhills' business.

#### **JURISDICTION AND VENUE**

6. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

7. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

8. Defendant is subject to personal jurisdiction in North Carolina.

9. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Sandhills engaged in

infringement in this district, Sandhills resides in this district, and Sandhills is subject to personal jurisdiction in this district.

**DEFENDANT**

10. Sandhills Moving and Storage Co. is a North Carolina Corporation, with its principal place of business at 1052 North May Street, Southern Pines, North Carolina, 28388, and can be served by serving its Registered Agent, Dick Rudig, at the same address.

**THE COPYRIGHTED WORK AT ISSUE**

11. In 2014, Blakely created the photograph entitled “\_I0F4597\_598\_599\_600\_601,” which is shown below and referred to herein as the “Work”.



12. Blakely registered the Work with the Register of Copyrights on April 22, 2022, as part of a group registration. The group registration was assigned registration number VA 2-300-006. The Certificate of Registration is attached hereto as **Exhibit 1**.

13. At all relevant times Blakely was the owner of the copyrighted Work at issue in this case.

### **INFRINGEMENT BY SANDHILLS**

14. Sandhills has never been licensed to use the Work at issue in this action for any purpose.

15. On a date after the Work at issue in this action was created, but prior to the filing of this action, Sandhills copied the Work.

16. On or about February 9, 2024, Blakely discovered the unauthorized use of his Work on the Sandhills Facebook Page in a post dated August 21, 2023.

17. On or about March 15, 2024, Blakely discovered the unauthorized use of his Work on the Sandhills IG Page in a post dated August 21, 2023.

18. Sandhills copied Blakely's copyrighted Work without Blakely's permission.

19. After Sandhills copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its moving and storage business.

20. Sandhills copied and distributed Blakely's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

21. Blakely's Work is protected by copyright but is not otherwise confidential, proprietary, or trade secrets.

22. Sandhills committed copyright infringement of the Work as evidenced by the documents attached hereto as **Exhibit 2**.

23. Blakely never gave Defendant permission or authority to copy, distribute or display the Work at issue in this case.

24. Blakely notified Sandhills of the allegations set forth herein on March 21, 2024 and April 30, 2024. To date, the parties have failed to resolve this matter.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

25. Blakely incorporates the allegations of paragraphs 1 through 24 of this Complaint as if fully set forth herein.

26. Blakely owns a valid copyright in the Work at issue in this case.

27. Blakely registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

28. Sandhills copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Blakely's authorization in violation of 17 U.S.C. § 501.

29. Sandhills performed the acts alleged in the course and scope of its business activities.

30. Defendant's acts were willful.

31. Blakely has been damaged.

32. The harm caused to Blakely has been irreparable.

WHEREFORE, the Plaintiff ALAN BLAKELY prays for judgment against the Defendant SANDHILLS MOVING AND STORAGE CO. that:

a. Sandhills and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Sandhills be required to pay Blakely his actual damages and Defendant's profits attributable to the infringement, or, at Blakely's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Blakely be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

d. Blakely be awarded pre- and post-judgment interest; and

e. Blakely be awarded such other and further relief as the Court deems just and proper.

### **JURY DEMAND**

Blakely hereby demands a trial by jury of all issues so triable.

Dated: April 15, 2025

Respectfully submitted,

/s/ Arthur H. Piervincenti  
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